

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 276 OF 2023

Usman Shaikh Moshin Shaikh

..APPLICANT

VERSUS

State of Maharashtra and Another

..RESPONDENTS

....
Mr. R.V. Gore, Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondents
Mr. I.G. Durrani, Advocate for assist to A.P.P.

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**CORAM : R.G. AVACHAT, J.
DATED : 20th MARCH, 2023**

PER COURT :

1. This is an application under Section 438 of Code of Criminal Procedure. The applicant claims to have an apprehension of being arrested in connection with Crime No. 17 of 2023 registered with M.I.D.C. Paithan Police Station, Dist. Aurangabad for the offence punishable under Section 326 of the Indian Penal Code ('I.P.C.').

2. Heard. Perused First Information Report ('F.I.R.') and related police papers.

3. F.I.R. has been lodged by wife of the applicant. The applicant is alleged to have committed offence punishable under Section 326 of the I.P.C.

The wife appeared through an advocate and filed her affidavit stating therein that both, the applicant – husband and herself have been residing together and she has no objection if the application is allowed. Hence the following order :-

ORDER

- (I) Application is allowed.
- (II) In the event of arrest of the applicant, in connection with Crime No. 17 of 2023 registered with M.I.D.C. Paithan Police Station, Dist. Aurangabad for the offence punishable under Section 326 of the Indian Penal Code, he be released on executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety in the like amount.
- (III) The applicant shall appear before the investigating officer, as and when required for the investigating purpose.
- (IV) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD